

## TWENTY-FIFTH DAY

(Continued)

(Tuesday, February 19, 1935)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

## EXTENDING PRIVILEGES OF THE FLOOR

On motion of Mr. Olsen, by unanimous consent of the House, the Civics Class of the Lavaca High School were granted the privileges of the floor for today.

## HOUSE BILL NO. 46 ON SECOND READING

On motion of Mr. Lotief, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 46, A bill to be entitled "An Act declaring monopolies contrary to public policy of this State; making it unlawful for those engaged in the public utility business to prevent or hinder legitimate competition, or to fix discriminatory rates; making the Act applicable to subsidiary and associated corporations; providing for prima facie evidence of violations; providing for quo warranto proceeding and forfeiture of charter; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Lotief offered the following committee amendment to the bill:

Amend House Bill No. 46 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. That monopolies are contrary to the public policy of the State of Texas, and it shall hereafter be unlawful for any person, company, partnership or corporation, domestic or foreign, doing business in the transportation and sale of natural gas, electric current and power, telephone services, telegraph services, and/or similar public utilities to willfully and intentionally do any act whatever to prevent or hinder any legitimate competition in such business.

"Sec. 2. It shall hereafter be unlawful for any person, partnership, company or corporation, domestic or foreign, engaged in any such a public utility business in more than one municipality or county in this State, to discriminate in rates, prices, or kind of services in favor of any person, partnership, company, corporation or municipality for the purpose of preventing or hindering competition in such business or injuring a competitor.

"Sec. 3. For the purpose of determining whether or not there has been any discrimination as provided in Section 2, the cost of production and transportation shall be considered.

"Sec. 4. That the provisions of this Act are applicable to subsidiary companies of any holding company, or controlling company, or receiver, or any person, company, partnership or corporation, domestic or foreign, and for the purposes of this Act, the acts of any one of a group or combination of subsidiary companies and their holding company, or controlling company, or any associated company, shall be deemed to be the acts of each and all of such associated companies.

"Sec. 5. That hereafter when any person, partnership, company, or corporation engaged in any public utility business in this State, such as are mentioned in Section 1 of this Act, shall refuse to lower the rates or prices for any such utility, such as the transportation and sale of natural gas, electric current and power, telephone services, telegraph services, and/or similar public utilities, when requested to do so by petition of any municipality, or a majority of the people of any municipality or community so served, stating in their petition the rate or price which said municipality or people think fair and reasonable for such services; and if, within twelve months after such refusal, any other person, partnership, company, or corporation shall engage in, or attempt to engage in, any such utility business in such city, municipality, or community, and then the first mentioned person, partnership, company, or corporation shall reduce the price of such natural gas, electric current and power, telephone services, telegraph services, and/or similar public utilities, below the price or rates requested in such petition, the act of so reducing said rates

or price shall be held to be prima facie evidence that such reduction was made for the purpose of preventing competition and injuring competitors.

"Sec. 6. Any corporation violating the provisions of this Act shall thereby forfeit its charter and right to do business in this State; and when such violation shall be brought to the attention of the Attorney General of this State, it shall be his duty to institute suit, or quo warranto proceedings, in any county in this State where such violation might occur, in the district court of such county, for the forfeiture of the charter of such offending corporation, and the dissolution of its corporate existence; and for such purposes venue is hereby given to each district court in this State.

"Sec. 7. All laws and parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 8. If any section, subsection, clause, sentence, or phrase of this Act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

"Sec. 9. The fact that unless some action is taken immediately to regulate the public utility business the people of this State will be in a condition of economic slavery, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule, which requires all bills to be read in each House on three several days, and that such rule be, and the same is hereby, suspended, and that this Act shall take effect from and after its passage, and it is so enacted."

Mr. Lotief offered the following amendments to the committee amendments:

(1)

Amend committee amendment No. 1 to House Bill No. 46, Section 1, by adding after the word "and" in line 35 the word "or."

(2)

Amend committee amendment No. 1 to House Bill No. 46, Section 5, by adding after the word "shall" in line 21, the words: "fail and/or."

(3)

Amend committee amendment No. 1 to House Bill No. 46, Section 5, by adding after the word "utilities" in line 25, the following: "the governing body of."

(4)

Amend committee amendment No. 1 to House Bill No. 46, Section 5, by adding after the word "such" in line 30, the following: "failure and/or."

(5)

Amend committee amendment No. 1 to House Bill No. 46, Section 5, by adding after the word "price" in line 36, the following: "prescribed."

(6)

Amend committee amendment No. 1 to House Bill No. 46, Section 5, by adding after the word "utilities" in line 6, the following: "when required to do so by the terms of an ordinance of any municipality affected by such rates or."

(7)

Amend committee amendment No. 1 to House Bill No. 46, Section 5, by adding after the word "rates" in line 36, the following: "in such ordinance or."

(8)

Amend House Bill No. 46, page 5, line 1, by adding after the word "any" the following: "person, partnership, company or."

The amendments were severally adopted.

The committee amendment, as amended, was adopted.

Mr. Lotief offered the following amendment to the bill:

Amend the caption to House Bill No. 46 to conform with the body of the bill.

The amendment was adopted.

House Bill No. 46 was then passed to engrossment.

HOUSE BILL NO. 46 ON THIRD READING

Mr. Lotief moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson	Jones of Falls
Adkins	Jones of Runnels
Aikin	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Atchison	King
Beck	Lanning
Bergman	Latham
Bourne	Leath
Bradbury	Lemens
Broyles	Lindsey
Burton	Lotief
Cagle	Lucas
Caldwell	Mauritz
Calvert	McCalla
Canon	McConnell
Collins	McFarland
Colquitt	McKinney
Cooper	Moffett
Craddock	Moore
Daniel	Morris
Davis	Morrison
Davison of Fisher	Newton
Davisson	Olsen
of Eastland	Padgett
Dickison	Patterson
Duvall	Payne
Fain	Quinn
Farmer	Reader
Fitzwater	Reed of Bowie
Ford	Roach of Angelina
Fox	Roach of Hunt
Frazer	Roane
Fuchs	Roark
Gibson	Roberts
Glass	Rogers
Good	Russell
Gray	Rutta
Greathouse	Settle
Hankamer	Shofner
Hardin	Spears
Harris of Archer	Steward
Harris of Dallas	Tarwater
Hartzog	Tennyson
Head	Thornton
Herzik	Tillery
Hodges	Venable
Holland	Waggoner
Howard	Walker
Huddleston	Wells
Hunt	Westfall
Hunter	Wood of Harrison
Hyder	Wood of Montague
Jackson	Worley
James	Young
Jefferson	Youngblood

Nays—6

Crossley Morse

Nicholson	Scarborough
Reed of Dallas	Stinson

Absent

Ash	Hofheinz
Bradford	Hoskins
Butler of Brazos	Jones of Atascosa
Butler of Karnes	Knetsch
Celaya	Lange
Clayton	Leonard
Colson	Luker
Cowley	McKee
Dunagan	Palmer
Dunlap of Hays	Petsch
Dunlap of Kleberg	Pope
Dwyer	Riddle
Fisher	Smith
Graves	Stanfield
Hill	

Absent—Excused

England	Stovall
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The Speaker then laid House Bill No. 46 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—116

Adamson	Fuchs
Adkins	Gibson
Aikin	Glass
Alexander	Good
Alsup	Gray
Ash	Greathouse
Atchison	Hankamer
Beck	Hardin
Bergman	Harris of Archer
Bourne	Harris of Dallas
Bradbury	Hartzog
Bradford	Head
Broyles	Herzik
Burton	Hodges
Cagle	Holland
Caldwell	Howard
Calvert	Huddleston
Canon	Hunt
Collins	Hunter
Colquitt	Hyder
Cooper	James
Craddock	Jefferson
Daniel	Jones of Atascosa
Davis	Jones of Falls
Davison of Fisher	Jones of Runnels
Davisson	Jones of Shelby
of Eastland	Jones of Wise
Dickison	Keefe
Dunlap of Kleberg	King
Duvall	Knetsch
Fain	Lanning
Farmer	Latham
Fisher	Leath
Fitzwater	Lemens
Fox	Lindsey
Frazer	Lotief

Lucas	Rogers
Mauritz	Russell
McCalla	Rutta
McConnell	Scarborough
McFarland	Settle
McKinney	Shofner
Moffett	Smith
Moore	Spears
Morris	Tarwater
Morrison	Tennyson
Newton	Thornton
Olsen	Tillery
Padgett	Venable
Patterson	Waggoner
Payne	Walker
Pope	Wells
Quinn	Westfall
Reader	Wood of Harrison
Reed of Bowie	Wood of Montague
Roach of Angelina	Worley
Roach of Hunt	Young
Roark	Youngblood
Roberts	

## Nays—6

Crossley	Reed of Dallas
Morse	Steward
Nicholson	Stinson

## Absent

Butler of Brazos	Hofheinz
Butler of Karnes	Hoskins
Celaya	Jackson
Clayton	Lange
Colson	Leonard
Cowley	Luker
Dunagan	McKee
Dunlap of Hays	Palmer
Dwyer	Petsch
Ford	Riddle
Graves	Roane
Hill	Stanfield

## Absent—Excused

England	Stovall
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Mr. McCalla moved to reconsider the vote by which House Bill No. 46 was passed and asked to have the motion to reconsider spread on the Journal.

Mr. Lotief called up the motion to reconsider, and moved to table the motion.

The motion to table prevailed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 19, 1935.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 197, A bill to be entitled "An Act to promote and make practical the conservation and timely utilization of the natural resources of the State in compliance with the intent and command of Section 59 of Article XVI of the Constitution; and to meet the emergency created by the request of the Federal Government that the State make immediate provision, under warrant of law, whereby there may be desirable co-ordination between plans for improvements in Texas by the Federal Government, by means of expenditures to be made by the 'National Resources Board,' and other Federal agencies, and such improvements as hereafter may need to be provided by the agencies of the State, etc., and declaring an emergency." (With amendments.)

S. B. No. 135, A bill to be entitled "An Act amending Chapter 18, Acts of the Forty-third Legislature, Second Called Session, page 54 (Article 3886b), providing for the maximum compensation of assistant county attorneys and other employes of the county attorney in all counties in the State having a population of one hundred thousand and one (100,001) inhabitants and not more than one hundred and fifty thousand (150,000) inhabitants and containing two cities of fifty thousand (50,000) population or more each, according to the last Federal Census of 1930; providing for the compensation of assistant county attorneys and other employes of the county attorneys in such counties; repealing all laws and parts of laws in conflict herewith; providing that this Act shall become effective from and after its passage, and declaring an emergency."

S. B. No. 146, A bill to be entitled "An Act to create the Department of Public Safety of the State of Texas; and the Public Safety Commission."

S. B. No. 299, A bill to be entitled "An Act to provide that in all counties having a population of three hundred and fifty-five thousand (355,000) inhabitants or more, according to the last preceding or any future Federal Census, the county judge, sheriff, county clerk, criminal district attorney, district clerk, assessor and collector of taxes, justice of the peace and constables thereof, shall, subject to the conditions hereinafter set out, be entitled to draw and receive such

annual compensation as is allowed them under the terms of Article 3883 of the Revised Civil Statutes, and declaring an emergency."

The Senate has concurred in House amendments to Senate Bill No. 118 by the following vote: Yeas, 28; nays, 0.

The Senate has adopted

H. C. R. No. 34, Authorizing the Enrolling Clerk of the House to correct the caption of House Bill No. 515 to conform with the body of the bill.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### HOUSE BILL NO. 197 WITH SENATE AMENDMENTS

Mr. Moffett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 197, A bill to be entitled "An Act to promote and make practical the conservation and timely utilization of the natural resources of the State in compliance with the intent and command of Section 59 of Article XVI of the Constitution; and to meet the emergency created by the request of the Federal Government that the State make immediate provision, under warrant of law, whereby there may be desirable co-ordination between plans for improvements in Texas by the Federal Government, by means of expenditures to be made by the 'National Resources Board,' and other Federal agencies, and such improvements as hereafter may need to be provided by the agencies of the State, etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Moffett moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Moffett, Aikin, Russell, Jones of Atascosa, and Head.

#### BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

H. C. R. No. 34, Authorizing Enrolling Clerk to amend caption of House Bill No. 515.

H. B. No. 515, "An Act amending Section 5 of Chapter 3 of the General Laws of the Second Called Session of the Forty-third Legislature, making it a misdemeanor for any person to operate a passenger car, commercial motor vehicle, or truck-tractor on public highways during any month of motor vehicle registration year without having attached to, and displayed thereon, two license number plates, on rear and on front, lawfully assigned for said vehicle for that current year; providing this provision shall not apply to dealers operating vehicles under present provisions of the law, and providing that re-registration license plates may be purchased during February and March, and used immediately, and declaring an emergency."

S. B. No. 118, "An Act to amend Section 4, Senate Bill No. 9, Chapter 5, Acts Second Called Session, Forty-third Legislature, and declaring an emergency."

#### HOUSE BILL NO. 438 ON SECOND READING

On motion of Mr. Morse, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment;

H. B. No. 438, A bill to be entitled "An Act prescribing the fees required of and paid by candidates in primary elections for State Senators and State Representatives in certain counties, and repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Dickison offered the following amendment to the bill:

Amend House Bill No. 438, Section 1, by striking out the words and figures "three hundred thousand (300,000)" wherever they appear and in-

serting in lieu thereof the words and figures "two hundred and ninety thousand (290,000)."

DICKISON,  
DWYER,  
JEFFERSON,  
READER,  
SPEARS.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

Mr. Morrison raised a point of order on further consideration of the bill, on the ground that the bill violates certain constitutional provisions.

The Speaker overruled the point of order.

Mr. Patterson offered the following amendment to the bill:

Amend House Bill No. 438 by striking out lines 14 and 15 and part of line 16 to the comma after the word "census" and insert in lieu thereof the words "in any Legislative District consisting of only one county."

On motion of Mr. Morse, the amendment was tabled.

Mr. Morrison offered the following amendment to the bill:

Amend House Bill No. 438 by providing that "the provisions of this Act shall not apply to the Floterial Representative in counties affected by the provisions of this Act."

Mr. Dunagan moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Morrison, it was lost.

House Bill No. 438 was then passed to engrossment.

#### MOTION TO TAKE UP HOUSE BILL NO. 438

Mr. Morse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 438 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

#### Yeas—95

Adamson	Ash
Aikin	Atchison
Alexander	Beck

Bergman	King
Burton	Knetsch
Butler of Brazos	Lange
Butler of Karnes	Lanning
Cagle	Leath
Caldwell	Lemens
Calvert	Lotief
Canon	Luker
Celaya	Mauritz
Collins	McCalla
Colquitt	McFarland
Cooper	McKee
Craddock	McKinney
Crossley	Moffett
Daniel	Moore
Dickison	Morse
Dunagan	Newton
Dwyer	Nicholson
Fisher	Padgett
Ford	Patterson
Frazer	Quinn
Fuchs	Reader
Glass	Reed of Dallas
Good	Riddle
Greathouse	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roane
Hartzog	Roark
Head	Roberts
Herzik	Rogers
Hill	Russell
Hodges	Settle
Hofheinz	Smith
Holland	Stanfield
Hoskins	Steward
Howard	Stinson
Hunter	Tennyson
Hyder	Thornton
Jackson	Waggoner
James	Walker
Jefferson	Wells
Jones of Atascosa	Westfall
Jones of Shelby	Young
Jones of Wise	Youngblood
Keefe	

#### Nays—29

Adkins	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Lindsey
Broyles	Lucas
Davis	McConnell
Davison of Fisher	Morris
Davisson	Morrison
of Eastland	Palmer
Fain	Reed of Bowie
Farmer	Rutta
Fitzwater	Shofner
Fox	Venable
Hardin	Wood of Harrison
Huddleston	Wood of Montague
Hunt	Worley

#### Absent

Alsup	Colson
Bradford	Cowley
Clayton	Dunlap of Hays

Dunlap of Kleberg Olsen  
 Duvall Payne  
 Gibson Petsch  
 Graves Pope  
 Gray Scarborough  
 Hankamer Spears  
 Latham Tarwater  
 Leonard Tillery

Absent—Excused

England Stovall

# HOUSE BILL NO. 407 ON SECOND READING

On motion of Mr. Beck, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 407, A bill to be entitled "An Act creating a State system of public employment offices; accepting the provisions of the Wagner-Peyser Act approved June 6, 1933 (48 Stat. 113, U. S. Code, Title 29, Section 49), 'An Act to provide for the establishment of a national employment system and for co-operation with the States in the promotion of such system, and for other purposes'; designating the Bureau of Labor Statistics as the agency for the administration of this Act; creating a division within the Bureau of Labor Statistics to be known as the Texas State Employment Service, responsible for the administrative system of public employment officer, etc., and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

# HOUSE BILL NO. 407 ON THIRD READING

Mr. Beck moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 407 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Adamson Bradbury  
 Adkins Bradford  
 Aikin Broyles  
 Alexander Burton  
 Ash Butler of Brazos  
 Atchison Butler of Karnes  
 Beck Cagle  
 Bergman Caldwell  
 Bourne Calvert

Canon Lange  
 Clayton Lanning  
 Collins Latham  
 Colquitt Leath  
 Colson Lemens  
 Cooper Lindsey  
 Cowley Lotief  
 Craddock Lucas  
 Crossley Luker  
 Daniel Mauritz  
 Davis McCalla  
 Davison of Fisher McConnell  
 Davisson McFarland  
   of Eastland McKinney  
 Dickison Moffett  
 Dunagan Moore  
 Dwyer Morris  
 Fain Morrison  
 Farmer Newton  
 Fisher Nicholson  
 Fitzwater Olsen  
 Ford Padgett  
 Fox Palmer  
 Frazer Payne  
 Fuchs Quinn  
 Gibson Reader  
 Glass Reed of Bowie  
 Good Reed of Dallas  
 Graves Riddle  
 Gray Roach of Angelina  
 Greathouse Roach of Hunt  
 Hankamer Roark  
 Hardin Roberts  
 Harris of Archer Rogers  
 Harris of Dallas Russell  
 Hartzog Rutta  
 Head Scarborough  
 Hodges Settle  
 Hofheinz Shofner  
 Holland Smith  
 Hoskins Stanfield  
 Howard Steward  
 Huddleston Stinson  
 Hunt Tarwater  
 Hunter Tennyson  
 Hyder Thornton  
 Jackson Tillery  
 James Venable  
 Jefferson Waggoner  
 Jones of Atascosa Walker  
 Jones of Falls Westfall  
 Jones of Runnels Wood of Harrison  
 Jones of Shelby Wood of Montague  
 Jones of Wise Worley  
 Keefe Youngblood  
 King

Absent

Alsup McKee  
 Celaya Morse  
 Dunlap of Hays Patterson  
 Dunlap of Kleberg Petsch  
 Duvall Pope  
 Herzik Roane  
 Hill Spears  
 Knetsch Wells  
 Leonard Young

## Absent—Excused

England

Stovall

The Speaker then laid House Bill No. 407 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—129

Adamson	Holland
Adkins	Hoskins
Aikin	Howard
Alexander	Huddleston
Ash	Hunt
Atchison	Hunter
Beck	Hyder
Bergman	Jackson
Bourne	James
Bradbury	Jefferson
Bradford	Jones of Atascosa
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Karnes	Jones of Wise
Cagle	Keefe
Caldwell	King
Calvert	Lange
Canon	Lanning
Clayton	Latham
Collins	Leath
Colquitt	Lemens
Colson	Lindsey
Cooper	Lotief
Cowley	Lucas
Craddock	Luker
Crossley	Mauritz
Daniel	McCalla
Davis	McConnell
Davisson	McFarland
of Eastland	McKee
Dickison	McKinney
Dunagan	Moffett
Dwyer	Moore
Fain	Morris
Farmer	Morrison
Fisher	Morse
Fitzwater	Newton
Ford	Nicholson
Fox	Olsen
Frazer	Padgett
Fuchs	Palmer
Gibson	Payne
Glass	Quinn
Good	Reader
Graves	Reed of Bowie
Gray	Reed of Dallas
Greathouse	Riddle
Hankamer	Roach of Angelina
Hardin	Roach of Hunt
Harris of Archer	Roark
Harris of Dallas	Roberts
Hartzog	Rogers
Head	Russell
Herzik	Rutta
Hodges	Scarborough
Hofheinz	Settle

Shofner

Smith

Stanfield

Steward

Stinson

Tarwater

Tennyson

Thornton

Tillery

Venable

Waggoner

Walker

Westfall

Wood of Harrison

Wood of Montague

Worley

Young

Youngblood

## Absent

Alsup

Butler of Brazos

Celaya

Davison of Fisher

Dunlap of Hays

Dunlap of Kleberg

Duvall

Hill

Jones of Falls

Knetsch

Leonard

Patterson

Petsch

Pope

Roane

Spears

Wells

## Absent—Excused

England

Stovall

## HOUSE BILL NO. 433 ON SECOND READING

On motion of Mr. Padgett, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 433, A bill to be entitled "An Act repealing Article 181, Chapter 2, Title 5, Penal Code of Texas, 1925, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Question—Shall the bill pass to engrossment?

## SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 135, to the Committee on State Affairs.

Senate Bill No. 146, to the Committee on State Affairs.

Senate Bill No. 299, to the Committee on Counties.

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, February 19, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.



Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 10, Urging Congress to pass the Frazier-Lemke Farm Refinance Bill.

S. C. R. No. 6, Memorializing Congress to support a plan for the immediate payment of the soldiers' bonus.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### ADJOURNMENT

On motion of Mr. Olsen, the House, at 12 o'clock m., adjourned until 10 o'clock a. m., Wednesday, February 20.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: House Bills Nos. 499, 519, and 527.

Education: House Bill No. 158.

Liquor Traffic: House Bill No. 328.

The Committee on Judiciary filed an adverse report, with a minority favorable, on House Bill No. 331.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 19, 1935.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 34, Instructing the Enrolling Clerk of the House to amend the caption of House Bill No. 515 to conform with the body of the bill,

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, February 18, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 515, "An Act amending Section 5, of Chapter 3, of the General Laws of the Second Called Session of the Forty-third Legislature, making it a misdemeanor for any person to operate a passenger car, commercial motor vehicle or truck-tractor on public highways during any month of motor vehicle registration year without having attached to, and displayed thereon two (2) license number plates, one plate at the front and one at the rear, lawfully assigned for said vehicle for that current registration year; providing this provision shall not apply to dealers operating vehicles under present provisions of the law, and providing that re-registration license plates may be purchased during February and March, and used from and after March the first preceding the registration year for which they are issued, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

## In Memory of Judge Richard F. Spencer

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Mr. Jones of Wise offered the following resolution:

Whereas, The Supreme Ruler of our destinies called to his eternal reward on Sunday, February 17, 1935, Judge Richard F. Spencer of San Antonio, Texas; and

Whereas, Mr. Spencer had reached the age of fifty (50) years and continued until the day of his death to be a most useful and outstanding citizen of Texas; and

Whereas, He had served his district and the State of Texas with distinction in the House of Representatives for two terms and was recognized by his fellow members and constituents as an able public servant; and

Whereas, He likewise served his State with distinction as a member of the Commission of Appeals of the Texas Supreme Court, to which he was appointed by both Governors Hobby and Neff; and

Whereas, The pages of his life unfold a record of memorable service and achievement, which stand as a monument to him in his community, his county, and his State; therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, That we recognize the loss that this State has sustained in his death. Be it further

Resolved, That this body extend its deepest sympathy to his family and fellow citizens, and that this resolution be spread on the Journal of the House of Representatives, and that when the House stands adjourned today it do so in honor of this distinguished former member. Be it further

Resolved, That a copy of this resolution be sent to the surviving members of his family.

JONES of Wise,  
DWYER,

DICKISON,  
JEFFERSON,

READER,  
SPEARS.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jones of Atascosa, Jones of Falls, Jones of Runnels, Jones of Shelby, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Settle, Shofner, Smith, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Worley, Young, Youngblood.

The resolution was read second time.

On motion of Mr. Thornton, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.